

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

**SEALED**

United States of America

v.

) Case No.

) 1:21-mj-0528

Casey K. Sage,

)

)

)

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 2, 2021 in the county of Marion in the  
Southern District of Indiana, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. § 844(f)(1)

Arson

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

/s/ John Donnelly

*Complainant's signature*

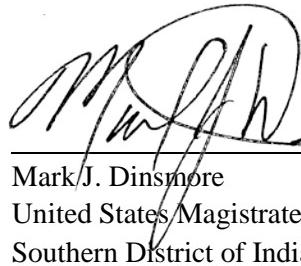
John Donnelly, Senior SA/Amtrak-OIG

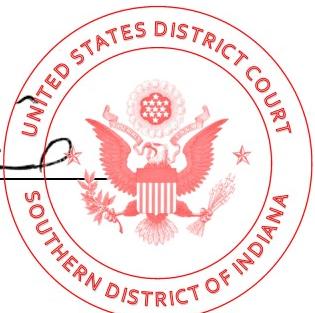
*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by  
telephone (*reliable electronic means*)

Date: June 9, 2021

City and state: Indianapolis, Indiana

  
Mark J. Dinsmore  
United States Magistrate Judge  
Southern District of Indiana



**AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR CRIMINAL COMPLAINT**

I, John Donnelly, being first duly sworn, hereby depose and state as follows:

1. I am a Senior Special Agent with the Amtrak Office of Inspector General. I have been so employed since September 2017. I began my career in federal law enforcement in 1991 as a Federal Probation and Parole Officer in the Northern District of Illinois. In 1996, I became a United States Postal Inspector. During my 21 years as a Postal Inspector, I was responsible for investigating a number of federal crimes, including mail and wire fraud schemes, access device fraud, identity theft, assaults, robberies, burglaries, illegal drugs trafficked through the mail, arsons of post office buildings and vehicles, and mail bombs. During my last seven years as a Postal Inspector, I was a Team Leader and supervised a team of Inspectors investigating these crimes. I have conducted and directed numerous investigations. I have conducted and participated in the execution of numerous federal search warrants, including several of electronic devices, and of email accounts hosted by Gmail. As part of my duties as an Amtrak OIG Senior Special Agent, I investigate criminal violations relating to fraud, waste, and abuse directed at Amtrak.

2. This affidavit is submitted in support of a criminal complaint alleging that Casey K. SAGE, white male, DOB XX/XX/1986, has violated Title 18, United States Code, Section 844 (f)(1) (Arson). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging SAGE, in violation of Title 18, United States Code, Section 844, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based upon my personal involvement in this investigation, my training and experience, my review of relevant evidence, and information supplied to me by other law enforcement officers. It does not include each and every fact known to me about the investigation, but rather only those facts that I believe are sufficient to establish the requisite probable cause.

**FACTS AND CIRCUMSTANCES SUPPORTING PROBABLE CAUSE**

4. Congress created the National Railroad Passenger Corporation, doing business as Amtrak ("Amtrak"), as a private, for-profit Government corporation, pursuant to the passage of the Rail Passenger Service Act of 1970, to operate a nationwide system of passenger rail transportation. Amtrak receives significant federal funding through U.S. Department of Transportation (DOT) grants to cover its activities associated with the Northeast Corridor and the National Network as authorized by the Fixing America's Surface Transportation Act (see Div. A; Pub. L. No. 114-94).

5. In addition to providing a substantial portion of Amtrak's funding, the federal government also provides oversight of how the funds are spent. The United State Government, through the Secretary of the United States Department of Transportation, owns all issued and outstanding preferred Amtrak stock. Amtrak is an agency of the federal government within the meaning established in Title 18, United States Code, Section 6.

6. As part of its national network, Amtrak operates the Amtrak Beech Grove Maintenance Facility, located at 202 Garstang Street, Beech Grove, IN 46107, within the Southern District of Indiana. The facility is secured by a chain-linked, barbed-wire, and iron fence. The Amtrak facility has a single point of entry for employees and visitors. At this point of entry is a police check where a valid Amtrak identification or log entry is required. The purpose

of the facility is to repair and refurbish train cars and locomotives. The facility containing rail cars, locomotives, service vehicles, several tracks, maintenance shops, and storage buildings.

7. On May 1, 2021 at approximately 9:40pm, a suspect later identified as Casey SAGE, is observed on Amtrak closed circuit security video entering into, without permission, the Northwest section of the Amtrak facility. SAGE can be seen walking through the rail yard lot towards the center area of the facility.

8. SAGE can be seen in the video wearing a black winter cap, dark or black pants, and a tank top and dark or black shoes. SAGE is carrying a dark or black t-shirt and wearing a lanyard or identification around his neck. At one point, SAGE is observed putting on the t-shirt he was carrying.

9. SAGE is observed entering a Rail King (train engine) then exiting wearing a raincoat and florescent work gloves. SAGE is observed walking deeper into the facility at various times being off camera but at no time was any other persons observed on security cameras with the exception of Amtrak employees.

10. On the north end of the property is a fence train gate and tracks that lead out of the facility towards Indianapolis. Also, on the north end of the property, approximately 700 feet from the north train gate, are two metal storage buildings managed by the material control unit. Based on a review of inventory records and an interview of the manager of material control, I learned the larger building was referred to as the west building and the smaller building was referred to as the east building. The west building was used to store hazardous materials and was sometimes referred to as the chemical building, and the east building was used to store paint materials, and thus was sometimes referred to as the paint building.

11. Based on a review of the inventory, among the items stored in both buildings as of May 2, 2021, were highly flammable items. Some examples of items stored in the paint building were acetone, paint, denatured alcohol, varnish, spray paint, degreaser, engine starting fluid, and paint remover. Some examples of flammable items stored in the chemical building were including railroad flares (fusees), oil, grease, cleaners, and thinners.

12. At approximately 12:27 a.m. on May 2, 2021, a security camera shows SAGE with a lit fusee walking past a rollup door of the east building to an open man door. Shortly afterwards, flames can be seen through the open man door. At 12:30 a.m. the video shows smoke coming from the east building. At 12:36 a.m. the camera shows flames coming out of the roof and through the rollup door. By 12:38 a.m. fire had spread to the west building and both buildings are engulfed in flames.

13. At 12:29 a.m., SAGE is observed on security video walking away from the buildings looking back towards the fire. SAGE is observed carrying two (2) brown bottles. At 12:33 a.m. SAGE can be seen on security video exiting through the north train gate. This train gate was opened by an Amtrak employee for a scheduled arriving train after SAGE was observed entering the secure facility.

14. The fire was first reported by a Beech Grove Police Department (BGPD) Officer patrolling the area. The BGPD Officer along with Beech Grove Fire Department (BGFD) responded to the scene. Security video showed several large explosions coming from the two (2) buildings on fire with canisters of burning material being projected through the air and across the Amtrak facility. These explosions along with the hazardous material smoke created a highly dangerous fire scene for public safety personal as the fire was extinguished.

15. BGFD Investigator James Pierce conducted an examination of the fire scene. Investigator Pierce determined the cause of the fire was Incendiary (intentionally set) using a lit fusee and available combustible material. Damage to the structure caused by the fire resulted in a total loss of both the east and west buildings. The total monetary damages to the Amtrak facility and material were estimated at approximately one (1) million U.S. dollars.

16. On May 3, 2021, Amtrak Police Officer Jones reviewed the security video and began searching the tracks and woods north of the train gate. Officer Jones located two (2) brown four-liter bottles of "LabChem" brand Acetone, which appeared similar to the bottles that SAGE was seen carrying out of the facility the night of the fire. The bottles were hidden in heavy brush off the rail line north of the train gate that SAGE was observed exiting on video. A review of the facility inventory disclosed that 11 four-liter bottles of "Lab Chem" brand Acetone were stored in the paint building before the fire.

17. On May 5, 2021, investigators expanded the search area farther north of the facility. Amtrak Police Detective Maske found one (1) florescent work glove in a ditch off the railroad track. Also located was a blaze orange rain jacket under the Emerson Avenue overpass off the railroad track. Both items match items found in Amtrak inventory and what appeared to be worn by SAGE in the security video during the night of the fire.

18. As part of the investigation video camera footage was obtained and reviewed from the Speedway Gas station located 105 Churchman Avenue, Beech Grove, Indiana, a short distance north of the Amtrak property. A review of the video from May 2, 2021, at approximately 2:08 a.m., approximately 1 hours 35 minutes after SAGE exited the Amtrak property, shows SAGE entering the store. SAGE is wearing a black knit winter cap, dark blue pants, a black t-shirt, and black shoes. SAGE was wearing the black knit cap in an elongated

fashion in the same manner as observed in the Amtrak video. The t-shirt and pants fit in the same manner as observed in the Amtrak video. As SAGE exits the store, it can be seen he is wearing a white shirt (similar to the tank-top seen on the Amtrak video) underneath the black t-shirt, and has a dark lanyard around his neck and under his t-shirt.

19. On June 7, 2021, I interviewed a clerk at the Speedway gas station who was familiar with customers who regularly came into the store. I showed the clerk a still shot from the video, which showed the face and clothing of the subject who came into the store at 2:08 a.m. on May 2, 2021. The clerk identified Casey SAGE as the subject and advised that the clerk had known SAGE for several years.

20. Several items recovered as evidence in this investigation were submitted to the Indianapolis Marion County Forensic Services Agency (Crime Lab). Among the items submitted to the Crime Lab were the two (2) Acetone bottles that were seen being carried off the property by the SAGE, and later recovered by Officer Jones. On June 8, 2021, the Crime Lab confirmed a latent print was recovered off one of the acetone bottles. The latent print was compared to the known fingerprints of Casey SAGE. The Crime Lab advised that they positively matched a known print of SAGE to latent print developed from the bottle.

21. I conducted a search of Amtrak personnel records and determined that Casey SAGE is not, and has never been, an Amtrak employee. As such, he would have no legitimate reason to be on Amtrak property or access to any Amtrak property, to include Acetone bottles stored on the Amtrak facility.

## CONCLUSION

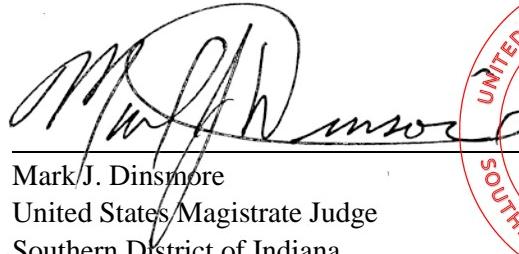
22. Based on the foregoing, there is probable cause to believe that on or about May 02, 2021, Casey K. SAGE violated Title 18, United States Code, Section 844(f)(1), in that he maliciously damaged or destroyed by means of fire a building owned or occupied by Amtrak, an agency or department of the United States. I respectfully request this Court issue a Criminal Complaint charging SAGE accordingly, along with a warrant for his arrest.

/s/ John Donnelly

John Donnelly  
Senior Special Agent  
Amtrak Office of Inspector General.

Attested to by the applicant in accordance with the requirements of Federal Rules of Criminal Procedure 4.1 and 41(d)(3) by reliable electronic means

Dated: June 9, 2021

  
Mark J. Dinsmore  
United States Magistrate Judge  
Southern District of Indiana

